

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 2564

DATE: March 12, 2012

Version: First engrossment

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Subject: Civil immunity for agritourism professionals

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Overview

This bill provides civil lawsuit immunity for agritourism professionals due to the inherent risks of agritourism activities such as farming, ranching, winemaking, farm-stays, and harvest-your-own events held on a farm or ranch.

- 1 Agritourism; immunity from liability.** Defines key terms and provides civil lawsuit immunity for agritourism professionals. An agritourism professional would not be liable for injury, damage, or death of a participant resulting from the inherent danger of farming, ranching, winemaking, and other agritourism activities. Immunity is provided whether the participant pays to participate in the agritourism activity or not.

However, an agritourism professional would not be immune from lawsuits stemming from (1) the professional's negligence or willful or wanton disregard for the participant's safety, (2) the professional's failure to warn the participant about dangerous conditions or the dangerous propensity of a particular animal, or (3) a professional intentionally injuring a participant.

An agritourism professional would be required to post a warning sign that notifies participants that they are participating in an agritourism activity at their own risk and agritourism professionals are not liable for the participant's injury or death resulting from the inherent risks of agritourism activities.

Effective date: This bill would be effective upon final enactment and would apply to lawsuits filed on or after that date.